

REMARKS

Reconsideration of the present application is respectfully requested.

Claims 1-8 are pending in the application. The Examiner rejected Claims 1-8 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,628,508 to *Lieu et al.* (hereinafter *Lieu*) in view of U.S. Publication No. 2004/0204194 to *Akai et al.* (hereinafter *Akai*) and further in view of U.S. Publication No. 2003/0092468 to *North*.

Regarding the §103(a) rejection of Claims 1-8, Applicants respectfully traverse. Particularly, it is respectfully asserted that the combination of *Lieu* in view of *Akai* and *North* at least fails to disclose a battery pack provided on a bottom of the apparatus and including a stylus that is insertable into and withdrawable from the battery pack in a longitudinal direction to the battery pack, which is recited in Claim 1. The Examiner cites *North* as teaching, “a battery pack for charging batteries and stylus coupled to battery pack for inputting data...” However, Applicants respectfully call the Examiner’s attention to the fact that Claim 1 does not recite a stylus coupled to a battery pack. Instead, Claim 1 recites, *inter alia*, “a stylus that is insertable into and withdrawable from the battery pack.” Although *North* teaches a battery pack (94) and a stylus (50), the two are separately provided on opposite ends of the telephone (see Figure 1). In fact, with respect to the battery pack and stylus, *North* states the following in paragraph [0022]:

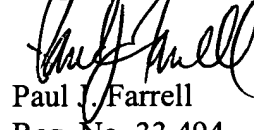
The primary housing or case 12 provides a protective cover for the console 14, as well as housing for the control circuitry 92, battery pack 94, stylus 50, and reception antenna 96 for Internet and telephone signals.

Hence, it is the primary housing or case 12 that houses the stylus 50 (and the battery pack 94, for that matter) in *North*, making it clear that *North* fails to disclose the recitation, “a stylus that is insertable into and withdrawable from the battery pack,” as set forth in Claim 1. Accordingly, it is respectfully submitted that the Examiner’s §103(a) rejection of Claims 1-8 is indeed incorrect, and should be withdrawn. Withdrawal of the same is respectfully requested.

Independent Claim 1 is believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-8, these are likewise believed to be allowable by virtue of their dependence on independent Claim 1. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-8 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-8, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



Paul J. Farrell

Reg. No. 33,494

Attorney for Applicants

THE FARRELL LAW FIRM
333 Earle Ovington Blvd., Suite 701
Uniondale, New York 11553
Tel: (516) 228-3565
Fax: (516) 228-8475

PJF/RCC/dr